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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,210	02/25/2002	Jen Fu Lee	P67640US0	2857
136	7590	06/05/2006	EXAMINER	
JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004			CHOI, PETER H	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/081,210	LEE ET AL.	
	Examiner	Art Unit	
	Peter Choi	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/25/02 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a first office action upon examination of application number 10/081210. Claims 1-15 are pending in the application and have been examined on the merits discussed below.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- Reference number 6303 in Figure 3-c.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be

notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 5-6, 8, and 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. (PGPub 2003/0126043).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per claim 1, Chen et al. teaches an auto-generation of supplier forecast method relating to a method that employs data provided by a client end to predict material requirements through a forecast arithmetic server in an enterprise end server, and further connects to the Internet to transfer updated information to a supplier end to complete the operations of material provisions, the method comprising the steps of:

(a) receiving at least one forecasted data from a client end to the enterprise end **(receiving at least one bill of material (BOM) from the suppliers through the Enterprise Resource Planning (ERP) server)** [Paragraph 9];

(b) integrating the forecasted data through the Enterprise Resource Planning (ERP) server **(integrating the bill of material (BOM) through the Enterprise Resource Planning (ERP); The invention pertains to the use of an Enterprise Resource Planning (ERP) server to control and integrate effective data; The invention enables material items of all prototypes to be integrated by central management through the Enterprise Resource Planning (ERP) server; The bill of material (BOM) is integrated through the Enterprise Resource Planning (ERP) server 200)** [Paragraphs 9, 18, 20, 25];

(c) generating an order of a forecast arithmetic server through the Enterprise Resource Planning (ERP) server **(material requirements planning server is provided by the Enterprise Resource Planning server 200 and used to process material purchases, and determine capabilities)** [Paragraph 27];

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(d) executing the forecast arithmetic server **(material requirements planning server is used to process material purchases, determine capabilities, place purchase orders, and transfer data)** [Paragraph 27];

(e) generating a forecast report through the forecast arithmetic server **(place purchase orders to the supplier end 50)** [Paragraph 27]; and

(f) transferring the forecast report to a supplier through a specified data transmission method **(transfer data to the supplier end 50 through a specified data transmission method (step 340))** [Paragraph 27].

As per claim 2, Chen et al. teaches the method of claim 1, wherein the forecast arithmetic server and the Enterprise Resource Planning (ERP) server connect to each other through an enterprise Intranet which is an Ethernet **(the aforementioned servers are linked to one another through an enterprise internal network (Local Area Network, LAN) 570. The LAN 570 can be an Ethernet)** [Paragraph 36].

As per claim 5, Chen et al. teaches the method of claim 1, wherein the step of integrating the forecasted data through the Enterprise Resource Planning (ERP) server to convert data format of client into data format of the enterprise end further comprises the steps of:

(a) exploding a bill of material (BOM) of required products of client **(The system explodes all bills of material of respective prototypes)** [Columns 47, 48, 49, 50, 51, 52]; and

(b) accumulating total amounts of required various materials **(combining and exploding components or parts at each level from all integrated bills of material (BOM))** [Claim 4].].

As per claim 6, Chen et al. teaches the method of claim 5, wherein the method of exploding a bill of material (BOM) further comprises the steps of:

(a) exploding all bills of material (BOM) of respective prototypes **(exploding all bills of material (BOM) of respective prototypes)** [Claim 4];

(b) stratifying all the bills of material (BOM), according to assemble features of respective prototypes **(stratifying all the bills of material (BOM, according to assemble features of respective prototypes)** [Claim 4]; and

(c) combining and exploding components or parts at each level from all integrated bills of material (BOM) **(combining and exploding components or parts at each level from all integrated bills of material (BOM))** [Claim 4].

As per claim 8, Chen et al. teaches the method of claim 7, wherein the step of selecting an output end through the forecast arithmetic server consists of two ways: one output is to an enterprise back end server, and the other is to a supplier end **(The information intermediary 560 transfers the data to a destination through a global information network (step 420) for suppliers to browse; The supplier end 50 is a supplier that may input relative materials information through the Web site provided by the information intermediary 560)** [Paragraphs 28, 41].

As per claim 11, Chen et al. teaches the method of claim 1, wherein the specified data transmission method further comprises the steps of:

- (a) establishing a data on an enterprise end **(establish data on an enterprise end 10 (step 400))** [Paragraph 28];
- (b) transferring the data to an information intermediary through a network backbone by the enterprise end **(The enterprise end 10, transfers the data to an information intermediary through a network backbone 580 (step 410); Data transmissions between the enterprise front server 540, the supplier end 50, and information intermediary 560 is transferred through a network backbone)** [Paragraphs 28, 45];
- (c) transferring the data to a destination end through a web site by the information intermediary **(The information intermediary 560 transfers the data to a destination through a global information network (step 420) for suppliers to browse; The supplier end 50 is a supplier that may input relative materials information through the Web site provided by the information intermediary)** [Paragraphs 28, 41]; and
- (d) receiving/sending information at the destination end by using a browser from the supplier **(One supplier 50 receives data from and sends data to a destination through a browser (step 430))** [Paragraph 28].

As per claim 12, Chen et al. teaches the method of claim 11, wherein the step of transferring the data to an information intermediary through a network backbone from the enterprise end further includes the conversion of data format through a data converter **(When data are transferred to the information intermediary 560 through the data transfer split linked to a function library through the data transfer engine, the function library converts the data into required formats for different suppliers, so as to complete the transfer format process)** [Paragraph 29].

As per claim 13, Chen et al. teaches the method of claim 12, wherein the data converter is utilizing the concept of configure-to-order (CTO) to accomplish data conversion on the network with customized fields and formats established based on different requirements of suppliers **(the data transfer split is utilizing the configure to order (CTO) concept to complete data transmission on the network with customized fields and formats established based on different requirements of suppliers)** [Claim 15].

As per claim 14, Chen et al. teaches the method of claim 11, wherein the network backbone is to connect among the enterprise, supplier and information intermediary and further to proceed data transmission that generalizes all network structures and types with functions of communications and data transfer **(The enterprise end 10 transfers the data to an information intermediary through a network backbone 580; The**

enterprise internal network 570 is linked to a supplier end 50 and an information intermediary 560) [Paragraphs 28, 31].

As per claim 15, Chen et al. teaches the method of claim 11, wherein the destination end relates to a platform provided by the information intermediary to store data from supplier and from the enterprise end **(The information intermediary 560 provides a platform for storing data of the suppliers and enterprises; The Purchase Order Webquery server 562 allows the supplier end 50 and enterprise end 10 to inquire about the progress of purchase order processing on the Web site provided by the information intermediary 560; The purchase database 564 stores the customized fields and formats generated by ERP application server 520 and stores data that are transferred from the enterprise end 10 and input by the supplier end 50) [Paragraphs 42-44].**

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 4, 7 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al. (PGPub 2003/0126043).

As per claim 3, Chen et al. teaches the method of claim 1, wherein the forecasted data provides plurality of fields to store relevant data of required products by client **(receives at least one bill of material of a plurality of product prototypes; There are different bills of material related to the respective prototypes; The Enterprise Resource Planning (ERP) server 200 analyzes at least one material category on the bill of material (BOM) (step 370))** [Claim 1, Paragraphs 20, 26].

Chen et al. does not explicitly teach the step of generating forecast data based on a specified cycle/period. However, Official Notice is taken that it is old and well known in the art that manufactured products have different production cycles/periods. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Chen et al. to include the step of generating forecasted data based on the cycle/period of different products, because the resulting combination would enable continual replenishment of parts or components that comprise different required products, in alignment with production cycles/periods in the manufacture of said products, resulting in a Just-In-Time inventory system that reduces inventory holding costs.

As per claim 4, Chen et al. does not explicitly teach the method of claim 3, wherein the specified cycle/period is defined by client according to different products.

However, Official Notice is taken that it is old and well known in the art that manufactured products have different production cycles/periods. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Chen et al. to include the step of storing forecasted data based on the cycle/period of different products, because the resulting combination would enable continual replenishment of parts or components that comprise different products, in alignment with production cycles/periods in the manufacture of said products, resulting in a Just-In-Time inventory system that reduces inventory holding costs.

As per claim 7, Chen et al. teaches the method of claim 1, wherein the step of executing the forecast arithmetic server further comprises the steps of:

(b) proceeding calculations of material requirements according to the forecasted data **(material requirements planning server is provided by the Enterprise Resource Planning server 200 and used to process material purchases, and determine capabilities)** [Paragraph 27];

(c) generating a calculated result through the forecast arithmetic server to be examined and contrasted **(material requirements planning server determines capability based on product orders placed by buyers)** [Paragraph 27]; and

(d) selecting an output end through the forecast arithmetic server **(The information intermediary 560 transfers the data to a destination through a global information network (step 420) for suppliers to browse; The supplier end 50 is a supplier that may input relative materials information through the Web site provided by the information intermediary 560)** [Paragraphs 28, 41].

Chen et al. does not explicitly teach the steps of:

- (a) evaluating if the forecast arithmetic server is ready; and
- (b) proceeding calculations of material requirements according to the historical record of client.

However, Official Notice is taken that it is old and well known in the art to assess availability and readiness of a server prior to use; therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Chen et al. to include the step of evaluating the readiness of the forecast arithmetic server, because the resulting combination would enable a determination to be made to ensure the adequacy of system resources in order to perform required calculations.

Official Notice is also taken that it is old and well known in the art to take historical material usage into consideration when formulating a replenishment order. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Chen et al. to include the well known step of taking historical

usage into consideration, because the resulting combination would more effectively manage inventory logistics by incorporating the use of previous behavior as an indicator to predict future behavior.

As per claim 9, Chen et al. teaches the method of claim 8, wherein the output to an enterprise back end server is to transfer the forecast report to material purchases staff at the enterprise end, and it enables the material purchase staff to communicate with supplier based on corresponding data of both parties, and the data transmission way can be a web query page through an internal network of the enterprise end **(Enterprise end 10 transfers the data to a destination through a global information network (step 420) for suppliers to browse. One supplier 50 receives data from and sends data to a destination through a browser (step 430); The enterprise internal network 570 is linked to a supplier end 50 and an information intermediary 560 and consists of an enterprise back end server 500, a supply chain management server 530, and an enterprise front end server 540; The first and second end Enterprise Resource Planning servers integrates all operations of the enterprise, including communication between organizations, customers, and suppliers; The supplier end 50 is a supplier that may input relative materials information through the Web site provided by the information intermediary 560)** [Paragraphs 28, 31-35, 41].

Although not explicitly taught by Chen et al., Official Notice is taken that the concept of sending documents through e-mail is notoriously old and well known in the art; therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Chen et al. to include the step of e-mailing relevant reports, because the resulting combination would enable an enterprise to make take the contents of said relevant reports into consideration when making business decisions, resulting in the enterprise making informed decisions.

As per claim 10, Chen et al. teaches the method of claim 1, wherein the forecast report relates to a schedule of required material issuing by supplier, includes at least the following fields: a material item, a material quantity, and an expiry date.

Chen et al. teaches the step of purchasing materials through the material requirements planning server [Claim 1]. When placing orders for goods, the purchaser inherently specifies the goods and quantity (of said goods) to be ordered, thus meeting the limitations of the claim.

Official Notice is taken that expiry dates are old and well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Chen et al. to include an expiry date because the resulting combination would specify the date on which deliveries take place, allowing for

an enterprise to plan works-in-process and manage inventory stockpiles accordingly for incoming inventory and expected consumption.

Chen et al. does not expressly teach the inclusion of material item, material quantity and expiry date as data fields as recited in claim 10; however, these differences are only found in the non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific data fields. Further, the structural elements remain the same regardless of the specific data fields. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); *MPEP* § 2106.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chen et al. (PGPub 20030101110) teaches an ERP server capable of controlling and monitoring inventory and estimating required materials.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Choi whose telephone number is (571) 272 6971. The examiner can normally be reached on M-F 8-5.

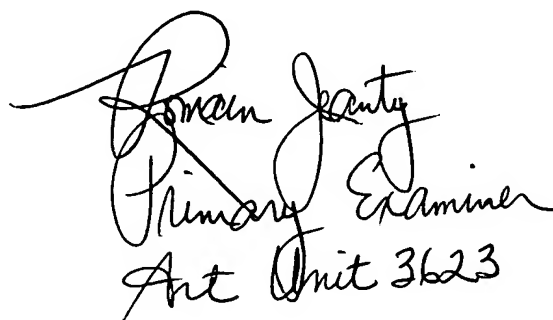
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PC

May 30, 2006

Peter Choi
Examiner
Art Unit 3623


Roman Janty
Primary Examiner
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